

RDT-07000/59718

FILED BY CS D.C.  
05 OCT 17 PM 2:56  
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

CANAL INSURANCE COMPANY, )  
)  
Plaintiff, )  
)  
vs. )  
)  
ALLENS SAMCO BROKERS, LLC, )  
ALLENS STEEL PRODUCTS, INC., )  
ANTHONY BOOKOUT, SR., JESSE )  
D. HILL, and MARY JO HILL, )  
)  
Defendants. )

No. 05-2505-MI-An

~~JOINT PROPOSED~~ RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): November 3, 2005

JOINING PARTIES:

for Plaintiff: December 19, 2005  
for Defendants: January 19, 2006

AMENDING PLEADINGS:

for Plaintiff: December 19, 2005  
for Defendants: January 19, 2006

COMPLETING ALL DISCOVERY: June 19, 2006

(a) REQUESTS FOR PRODUCTION, INTERROGATORIES and  
REQUESTS FOR ADMISSIONS: June 19, 2006

(b) EXPERT DISCLOSURE (Rule 26(a)(2)):

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- (i) **Plaintiff's Experts:** April 19, 2006
- (ii) **Defendants' Experts:** May 19, 2006
- (iii) **Supplementation under Rule 26(e):** May 29, 2006

(c) **DEPOSITION OF EXPERTS:** June 19, 2006

**FILING DISPOSITIVE MOTIONS:** July 18, 2006

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

- (a) **for Plaintiff:** 45 days before trial
- (b) **for Defendants:** 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 2 days. The presiding judge will set this matter for **NON-JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to a trial before the Magistrate Judge. The Magistrate

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Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

**The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.**

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates as set by this Order will not be modified or extended.


**IT IS SO ORDERED.**

  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

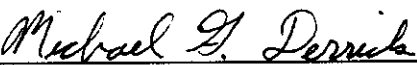
Date: October 14, 2005

APPROVED FOR ENTRY:

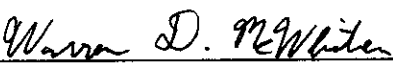
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and Anthony Bookout, Sr.



## Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:05-CV-02505 was distributed by fax, mail, or direct printing on October 17, 2005 to the parties listed.

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Honorable Jon McCalla  
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